

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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CECILE GAMBRELL,

Plaintiff,

v.

CATHY JESS, C.O. GAVIN,  
SGT. SIMON and C.O. BOEHNLEIN,

Defendants.

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ORDER

10-cv-798-wmc

Plaintiff Cecile Gambrelle, a prisoner at the Milwaukee Women's Correctional Center in Milwaukee, Wisconsin, has submitted a proposed complaint. She asks for leave to proceed *in forma pauperis*. Because plaintiff is a prisoner, she is subject to the 1996 Prisoner Litigation Reform Act. This means that before this court may decide whether she can proceed with her complaint *in forma pauperis*, plaintiff will have to make an initial partial payment of the filing fee.

From the trust fund account statement plaintiff has submitted, I calculate her initial partial payment to be \$17.20. Plaintiff must pay the remainder of the fee in monthly installments even if her request for leave to proceed is denied. If plaintiff does not have the money to make the initial partial payment in her regular account, she will have to arrange with prison authorities to pay some or all of the assessment from her release account. This does not mean that plaintiff is free to ask prison authorities to pay *all* of her filing fee from her release account. The only amount plaintiff must pay at this time is the \$17.20 initial partial payment. Before prison officials take any portion of that amount from plaintiff's release account, they may first take from plaintiff's regular account whatever amount up to the full amount plaintiff owes. Plaintiff should show a copy of this order to prison officials to insure that they are aware they should send plaintiff's initial partial payment to this court.

ORDER

IT IS ORDERED that plaintiff is assessed \$17.20 as an initial partial payment of the \$350 fee for filing this case. She is to submit a check or money order made payable to the clerk of court in the amount of \$17.20 on or before January 7, 2011. If, by January 7, 2011, plaintiff fails to make the initial partial payment or show cause for her failure to do so, she will be held to have withdrawn this action voluntarily. In that event, the clerk of court is directed to close this file without prejudice to plaintiff's filing her case at a later date.

Entered this 17<sup>th</sup> day of December, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge